

NOTICE OF DECISION

Subdivision and Development Appeal Board

December 27, 2018

RE: Development Application for driveway at 4 Ravenscrag Crescent

In accordance with Subsection 687(2) of the Municipal Government Act, wherein the Subdivision and Development Appeal Board (SDAB) must give its decision in writing together with reasons for the decision within 15 days of concluding the hearing, the following serves as notification.

Finding of Fact:

Upon hearing and considering the representations and the evidence of the parties concerned the Board find the facts in the matter to be as follows:

1. The driveway was constructed wider than the Development Permit was approved for.
2. The driveway was approved for a specific width maximum as per the Land Use Bylaw #208/13 and there was an opportunity for the applicant to ask for a variance.
3. An 8ft. radius was added to the driveway without Development approval.
4. The driveway does not conform with the Land Use Bylaw.
5. While some of Mr. Ferris' neighbours signed a note that they didn't object to the development or that it looked good. Section 10.3.3 of the Municipal Development Plan is to provide green landscaping areas to maintain a country-like feel. While there are a number of non-conforming driveways within the Summer Village, the board finds that the Variance requested is excessive and could set problematic precedence.
6. The size and shape of the property allow for adherence to the Land Use Bylaw.

7. Natural Justice, the property owner at a minimum should have sought a variance before paving commenced.

Decision of SDAB:

The Subdivision and Development Appeal Board hereby denies the appellants variance request of the driveway for Development Permit #181420 for 4 Ravenscrag Crescent because it does not conform with the Land Use Bylaw. That the Development Permit be upheld to the Municipal Planning Commissions decision, forfeit of the \$1,000.00 Completions Deposit and the Development Permit to be extended to July 31, 2019 to make the appropriate repairs to the driveway and the culvert tapering.

Sincerely,

SUMMER VILLAGE OF NORGLLENWOLD

Kara Kashuba
Secretary
Subdivision and Development
Appeal Board